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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HUYNH, CONG LAC T	
ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/803,540	KOSAK ET AL.	
	Examiner	Art Unit	
	Cong-Lac Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: RCE filed 8/26/05 to the application filed on 3/9/01.

2. Claim 6 is canceled.

3. Claims 1-5, 7-29 are pending in the case. Claims 1, 24 and 29 are independent claims.

4. The rejection of claim 22 under 35 U.S.C. 112, second paragraph, as lacking antecedent basis has been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, 7-8, 17-18, 24-28 remain rejected under 35 U.S.C. 102(e) as being anticipated by Hosea et al. (US Pat App. Pub. No. 2002/0138331, 9/26/02, filed 2/5/01).

Regarding independent claim 1, Hosea discloses:

- scanning content of a source page expressed in a mark-up language in which a component is to be inserted ([0043], [0046]: *analyzing* the HTML file, which is a

mark-up language file, to produce a modified web page where one way to modify the web page is inserting additional content into the HTML file)

- inferring a profile from the scanned content ([0045]: generating the profile of the web page; [0052]: "producing the profile of the Web page" (claim 1), "generating a profile for a web page" (claim 30), "obtaining a profile for a particular Web page" (claim 33), "dynamically generating the profile for the particular web page" (claim 34), the fact that the profile for a web page is produced indicates that the profile is inferred from the content and the format of the web page)
- the profile comprising a format of the scanned content and topical characteristics of the scanned content ([0043]: the profile of the HTML file of the requested web page includes *a content classification* or *affinity rating for each content component on the web page* where the HTML file is formed of content components and *format components* shows that the profile comprises the format of the scanned content and topical characteristics since the format is included in the HTML file and the classification is for classifying the file content based on the topic of the content)
- generating a finished page that includes the content component adapted and inserted into the finished page according to the profile ([0046], [0052]: "... Additional content may also be inserted if desired. For example, certain advertisement or links to articles may be included or excluded ...Content may also be modified so that the font or color or other graphics properties are changed", "producing a modified Web page based on the profile of the Web page

and the profile of the user"; producing a modified Web page *based on the profile of the Web page* where inserting a content to the web page is one way to modify the web page inherently shows that a *content component is adapted and inserted into the Web page according to the profile of the web page*)

Regarding claim 2, which is dependent on claim 1, Hosea discloses that the mark-up language is HyperText Markup Language (HTML) ([0028], [0030]).

Regarding claim 3, which is dependent on claim 1, Hosea discloses that the content comprises contextual material including topical, geographical, temporal and semantic characteristics ([0043]: the content components include text, image, advertisements shows that the content comprises contextual material including topical and semantic characteristics since the image data should be related to the text and the text is classified based on the main topic of the content; [0052]: the fact that the matching Web page content is news or weather information that match the geographical data implies that the content comprises contextual material including geographical characteristics). Further, since the content of the web page includes stock quotes information and weather information that *are changed based on time* and are inserted in the web page for updating the information, said information has temporal characteristics.

Regarding claim 4, which is dependent on claim 1, Hosea discloses that the component comprises syndicated services including message boards, chat rooms, file exchanges, link exchanges, E-commerce and auctions (figure 1).

Regarding claim 5, which is dependent on claim 1, Hosea discloses that the component comprises syndicated content including news feeds, weather information, stock information, road maps, pictures, video, audio and text (figure 1).

Regarding claim 7, which is dependent on claim 1, Hosea discloses that the component comprises embedded elements ([0043], [0046]: content such as advertisement or links are embedded elements in the web page).

Regarding claim 8, which is dependent on claim 1, Hosea discloses that the embedded elements comprise in-situ syndicated textual or multimedia material shown within a context of the web page ([0046]: the embedded advertisement or links are graphics or text, which are multimedia material matching the context of the web page).

Regarding claims 17-18, which are dependent on claims 7 and 17 respectively, Hosea discloses that the embedded elements comprise standalone elements comprising multimedia material shown within its own context in a browser window, dialog window and pop-up window (figure 2: image and text included in the browser window, and when a user enters data in the dialog box, the text which is a multimedia material, is shown in

the dialog part; figure 4: text, which is a multimedia material, is included in the pop-up windows "Narrow Column" and "Wide Column").

Claims 24-28 are for a computer program of method claims 1-5, and are rejected under the same rationale.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 19-21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea et al. (US Pat App. Pub. No. 2002/0138331, 9/26/02, filed 2/5/01).

Regarding claim 19, which is dependent on claim 1, Hosea discloses scanning comprises:

- analyzing a site format of the content ([0043]: "An HTML file is formed of constituent components that include content components and formatting components, i.e., the HTML "mark-up." The content components ... An HTML file profiler parses each HTML file to *extract the constituent components*, and analyzes and assigns ratings to the content components."; the fact that the HTML file profiler parses each HTML file to extract the constituent components which include the content components and the formatting components suggests that the format of the content of the HTML file is analyzed before being extracted
- analyzing a site content of the content ([0043]: "An HTML file is formed of constituent components that include content components and formatting components, i.e., the HTML "mark-up." The content components ... An HTML file profiler parses each HTML file to extract the constituent components, and analyzes and assigns ratings to the content components.")

Hosea does not explicitly disclose saving the site format and the site content as the profile. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Hosea to incorporate the saving step into Hosea since it was well known that the content and the format of the web page when created must be saved as the information of the web page for later use such as uploading or retrieving where said information is equivalent to the data of the profile of the web page.

Regarding claim 20, which is dependent on claim 19, Hosea discloses that the profile is utilized as a filter ({0013]: "a proxy server ..., and *filters the content of the web page based on* the user profile *and the Web page profile* ..." shows that the web page profile is *utilized as a filter* for filtering the content of the web page).

Regarding claim 21, which is dependent on claim 20, Hosea discloses utilizing the profile in real-time each time a component is displayed to a user ([0013], [0018] and figure 3: the fact that the user request is monitored by a proxy server and the content of the requested web page is filtered based on the user profile and the web page profile before delivering the page to the user shows that the web page profile is utilized as a filter for filtering the web page content upon a user request in the real-time by selecting the types of the content of the web page).

10. Claims 9-11, 13-16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea as applied to claim 1 above, and further in view of Massena et al. (US Pat No. 6,625,803 B1, 9/23/03, filed 2/8/00, priority 10/28/97).

Regarding claims 9, 13-16, which are dependent on claim 1, Hosea does not disclose that generating comprises inserting script, applets, active-x, plugins, and Java code. Massena discloses the insertion of script, applets, active-x, plugins, and Java code for generating a modified web page (abstract, col 1, line 59 to col 2, line 64; col 7, lines 53-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Massena into Hosea since Massena provides the capabilities to modify a web page by inserting a web component such as scripts, applets, active-x, plugins, and Java code providing the advantage to incorporate such features into Hosea for expanding the modification of web pages with various types of web components to be inserted into a web page instead of merely inserting advertisements or links as in Hosea.

Regarding claims 10-11, which are dependent on claim 1, Hosea does not disclose that generating comprises inserting frames and interior frames.

Massena discloses inserting applets, active-x-controls, and plugins into a web page for producing a modified web page (abstract, col 1, line 59 to col 2, line 64; col 7, lines 53-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Massena into Hosea since Massena inserting applets, active-x-controls, and plugins, which are interior frames, into a web page for producing a modified web page providing the advantage to incorporate into Hosea for expanding the contents to be inserted into a web page instead of merely text and graphics for modifying the web page.

11. Claim 12 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea as applied to claim 1 above, and further in view of Muthuswamy et al. (US Pat No. 6,606,525 B1, 8/12/03, filed 12/27/99).

Regarding claim 12, which is dependent on claim 1, Hosea does not disclose inserting layers.

Muthuswamy discloses inserting layers into a web page for updating the web page with dynamic data such as stock data (col 2, lines 29-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Muthuswamy into Hosea since Muthuswamy has the layer features for including the dynamic data to a web page providing the advantage to incorporate into Hosea to include the dynamic data to a web page to make the page live and more attractive instead of merely inserting static data as in Hosea.

12. Claims 22-23, 29 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea as applied to claim 20 above, and further in view of Freedman et al. (US Pat Pub. No. 2002/0083123 A1, 6/27/02, filed 12/27/02).

Regarding claim 22, which is dependent on claim 20, Hosea does not disclose checking the web page for updates and updating the profile in response to checking.

Freedman discloses periodically checking the web page for meta tags that contain information about the resource link device record, if these meta tags are updated, the source link device record is automatically updated with the new information ([0080]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Freedman into Hosea since Freedman has the capability of checking the updating of the web page via updating the meta tags that contain information about the resource link device record and updating the resource link device record when the meta tags are updated. Since the resource link device record is the data particular to the web page, the resource link device record is considered as the profile data of the web page. Therefore, updating the resource link device record suggests updating the profile of the web page.

Regarding claim 23, which is dependent on claim 22, Hosea does not disclose comparing pairs of expiry information, last modified dates, cyclic redundancy codes (CRCs) or MD5s, algorithm used to verify data integrity through the creation of a 128-bit message digest from data input.

Freedman discloses comparing the expiry information when the expiration date is assigned to the resource link device, checking the remaining resource link device counter for being decremented for generating billing information ([0084]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Freedman into Hosea since Freedman discloses comparing pairs of the expiration date assigned to the resource link device with the

remaining resource link device counter to see if there is a correspondence between them thus motivating to incorporate into Hosea for comparing the expiry information of the web content inserted into a web page.

Claim 29 is for an apparatus for method claims 1 and 22, and is rejected under the same rationale.

Response to arguments

13. Applicant's arguments filed 8/26/05 have been fully considered but they are not persuasive.

Applicants argue that Hosea does not disclose "inferring a profile from the scanned content, the profile comprising a format of the scanned content and topical characteristics of the scanned content" in the cited paragraphs 0045 and 0052 since Hosea infers a profile from a requesting user as in paragraphs 0034 and 0041 (Remarks, pages 6-7).

Examiner respectfully disagrees.

Hosea discloses "inferring a profile from the scanned content" ([0045], [0052]) since "producing the profile of the Web page" (claim 1), "generating a profile for a web page" (claim 30), "obtaining a profile for a particular Web page" (claim 33), "dynamically generating the profile for the particular web page" (claim 34), are performed where the profile is obtained from a web page, not from a requesting user.

Hosea also discloses that the profile comprising a format of the scanned content and topical characteristics of the scanned content ([0043]: the profile of the HTML file of the

requested web page includes *a content classification* or *affinity rating for each content component on the web page* where the HTML file is formed of content components and *format components* shows that the profile comprises the format of the scanned content and topical characteristics since the format is included in the HTML file and the classification is for classifying the file content based on the topic of the content). Since claims 1 and 24 are disclosed by Hosea, the remaining claims, dependent on claims 1 and 24, are either anticipated or obvious based on the reason set forth in claims 1 and 24.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Messner et al. (US Pat App Pub No. 2001/0043364 A1, 11/22/01, filed 5/31/01, priority 6/7/99).

Ronald et al. (US Pat App Pub No. 2003/0041143 A1, 2/27/03, filed 12/4/00, priority 12/13/99).

Moores et al. (US Pat App Pub No. 2003/0149580 A1, 8/7/03, filed 3/1/01).

Lee et al., Information Integration with Attribution Support for Corporate Profiles, ACM 1999, pages 423-429.

Abdelzaher, An Automated Profiling Subsystem for QoS-Aware Services, IEEE 2000, pages 1-10.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cong-Lac Huynh
Examiner
Art Unit 2178
10/16/05